

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., September 27, 1994.

Members present: Mayor G. Michael Shelton; Vice Mayor Larry D. Brookshier; Councilwoman Joanne A. Grahame; Councilwoman Linda Kochendarfer; Councilman Ronnie C. Rice; and Councilman W. D. Tharp.

Members absent: Councilman Payton M. Otey.

Staff present: City Manager Jack A. Gross; City Attorney W. W. Berry, IV (arrived at 7:50 p.m.); and Clerk of the Council Teresa W. Hatcher.

Mayor Shelton opened the meeting and led all present in saying the Pledge of Allegiance to the Flag.

Mayor Shelton declared that the minutes of a regular Council meeting held on September 13, 1994, were approved as distributed.

Councilman Brookshier spoke regarding the following matters:

- clearing of brush on the rights-of-way by Norfolk/Southern. The City Manager indicated that the railroad has tentative contracts set up to have the brush cleared.

- neighborhood meeting held at the Bridge School on September 26 - concern of citizens: lack of activities for teens in the city - their goal is that the community move forward to establish a youth center. These citizens invited Council to attend another meeting scheduled for October 3 at 7:00 p.m. at the Bridge School.

On behalf of Bedford Main Street, Inc., Councilwoman Grahame thanked the city staff and members of Council for their help during Centerfest '94.

Councilman Tharp expressed concern regarding the schedule for leaf collection, as stated in a recent mailing he received.

Discussion ensued regarding the charging of a tipping fee to contract lawn services who do work in the City.

It was the consensus of Council that the new leaf collection policy be held in abeyance for this season; and that the leaf policy stay as it has been until the Solid Waste Committee has dealt with the issue. The Committee will also meet regarding the contract hauler issue and brush collection.

Mayor Shelton added "and potential litigation" to the last item on the agenda: Executive Session pursuant to Section 2.1-344(a)(7),

Code of Virginia of 1950, as amended, for Consultation with Legal Counsel and Staff on Consolidation Issues.

The Consent Agenda consisted of the following item: Appointment of Mrs. Trudy Thaxton to the Central Virginia Area Agency on Aging Board of Directors for a three-year term, said term to expire September 30, 1997.

Councilman Rice moved that the Consent Agenda be adopted. The motion was seconded by Councilwoman Kochendarfer, voted upon and carried.

City Manager Gross stated that the City is in the process of negotiating a renewal of the cable television franchise with Cable Equities of the Virginias, Ltd., d/b/a CableVision. The Cable Television Committee is presently reviewing Cable Equities' proposal for franchise renewal, and the City's attorney has prepared a draft ordinance and franchise agreement which have been presented to Cable Equities. Mr. Gross indicated that the term of the franchise expires October 9, 1994; however, in order to allow sufficient time to complete the negotiations, it is requested that Council adopt a resolution extending the duration of the franchise until December 31, 1994.

The Clerk of Council read aloud the following proposed resolution:

**RESOLUTION EXTENDING THE DURATION OF
CABLE TELEVISION FRANCHISE**

BE IT RESOLVED by the City Council of the City of Bedford, Virginia:

1. That the duration of the franchise, right and privilege ("Franchise") granted to Cable Equities of the Virginias, Ltd., d/b/a CableVision, to provide cable television service within the City of Bedford shall be and hereby is extended until December 31, 1994, or until such earlier date as a subsequent franchise may be granted to CableVision renewing the Franchise hereby extended.
2. The aforesaid extension of the Franchise is conditioned upon the acceptance by CableVision, to be evidenced by a separate writing, of its continuing duties and obligations under the Franchise as extended for the duration of such extension, and its agreement during such extension to participate and cooperate with the City of Bedford and its representatives and agents in such procedures as may be required for the renewal of cable television franchises under Title VI of the Communications Act of 1934.
3. The City Manager or the Assistant City Manager shall be and hereby are authorized and directed to take such further actions as are necessary or appropriate to further the objectives of the resolution hereby adopted.

Councilwoman Kochendarfer moved that the resolution be approved. The motion was seconded by Councilwoman Grahame, voted upon and carried by the following roll call vote:

Vice Mayor Brookshier	aye
Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Councilman Otey	absent

Councilman Rice	aye
Councilman Tharp	nay
Mayor Shelton	aye

Mayor Shelton thanked the following individuals for their assistance in attempting to have the proposed D-Day Memorial located in Bedford: Kenneth Crouch; Elizabeth Berry-Moseley, Bedford Main Street, Inc.; Roy Stevens and Ray Nance, surviving veterans from Company A.

Mayor Shelton reported that an expanded group of members of the National D-Day Memorial Foundation were in Bedford on September 19 and further reviewed sites of interest to the Foundation. The three sites of interest in Bedford are: the parcel of property next to the National Guard Armory; two sites at the Bedford Elementary School, one to the right of the entrance road, the other on the large hill behind the school.

The Mayor stated that he spoke to the Bedford County Board of Supervisors on September 26 requesting the Board's support in having the D-Day Memorial placed in Bedford. Mayor Shelton indicated that the Board of Supervisors unanimously adopted a resolution supporting Bedford as the location for the memorial.

Mayor Shelton stated that the Bedford City-County Museum is planning to videotape individuals for a living history part of the museum concerning D-Day. The Mayor indicated that Councilwoman Kochendarfer has accepted the responsibility of gathering a group of people to develop a curriculum on Bedford's role in the D-Day invasion and present it to the Bedford County School System for incorporation into the annual teachings in history classes.

The Clerk of Council read aloud the following proposed resolution:

**RESOLUTION TO SUPPORT LOCATION OF
NATIONAL D-DAY MEMORIAL
IN THE CITY OF BEDFORD, VIRGINIA**

WHEREAS, on June 6, 1944, Allied forces embarked on and carried out the greatest land invasion the world has known, which ultimately changed the course of history; and

WHEREAS, in June 1994, on the 50th Anniversary of the D-Day Invasion, national and international attention centered on Bedford as the result of its soldiers from Company A, 116th Infantry, 29th Division being in the first wave of the Invasion, and Bedford, Virginia having the solemn distinction of being the community that had the highest per capita loss of lives during the Invasion; and because of this historic event Bedford assisted in changing the history of the world; and Bedford being located between two major metropolitan areas, Roanoke and Lynchburg, with an excellent transportation access system and within a one-day drive of fifty per cent of the population of the United States; and

WHEREAS, by and through this distinction Bedford has earned the right to be the site of the National D-Day Memorial because of the deep community interest in its history and in this particular event, and this Memorial will provide a means of continual remembrance and

ongoing education about D-Day in the world's history and specifically the role of the 116th Infantry and Bedford's role and impact in this event;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Bedford strongly encourages and supports the location of the National D-Day Memorial to be in Bedford and is willing to commit to providing a significant contribution toward this initiative to be estimated in excess of \$250,000. These contributions are to include the donation of the site and improvements such as access and parking, infrastructure to include water, sewer and electric to the site, as well as restroom facilities. As a means to provide for the perpetual care and maintenance of the Memorial and improvements, the City will incorporate the facility into the City's parks and recreation system.

BE IT FURTHER RESOLVED that the City Council of the City of Bedford calls upon all jurisdictions who are a part of the 116th Infantry to become regional partners in this effort and request these same localities to support the location of this memorial in Bedford, Virginia, based upon its historic significance, its central location of those communities who are within the 116th Infantry, and the national and worldwide knowledge of Bedford's role in the D-Day Invasion. It is a suitable, logical location for a monument that honors all branches of the armed forces and specifically those soldiers who were involved in D-Day.

BE IT FURTHER RESOLVED that a copy of this resolution be mailed to the National D-Day Memorial Foundation and to all governing bodies of jurisdictions which are members of the 116th Infantry.

Councilman Rice moved that the resolution be approved. The motion was seconded by Councilman Tharp, voted upon and carried by the following roll call vote:

Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Councilman Otey	absent
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye
Mayor Shelton	aye

Councilwoman Kochendarfer moved that Council adjourn into executive session pursuant to Section 2.1-344(a)(7), Code of Virginia of 1950, as amended, for Consultation with Legal Counsel and Staff on Consolidation Issues and Potential Litigation. The motion was seconded by Councilman Rice, voted upon and carried by the following roll call vote:

Councilwoman Kochendarfer	aye
Councilman Otey	absent

Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye
Councilwoman Grahame	aye
Mayor Shelton	aye

Council adjourned into executive session at 8:20 p.m. after a five minutes recess. Non-council members attending were: City Manager Gross, City Attorney Berry, Chief of Police Graham, and Clerk of the Council Hatcher.

Council reconvened into open session at 9:45 p.m. The Clerk of Council read aloud the following proposed resolution:

BE IT RESOLVED that the Council of the City of Bedford hereby certifies that, to the best of each member's knowledge, (1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the executive meeting to which this certification resolution applies, and (2) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Council.

Councilwoman Grahame moved that the resolution be adopted. The motion was seconded by Councilman Rice, and voted upon by the following roll call vote:

Councilman Otey	absent
Councilman Rice	aye
Councilman Tharp	aye
Vice Mayor Brookshier	aye
Councilwoman Grahame	aye
Councilwoman Kochendarfer	aye
Mayor Shelton	aye

Further discussion ensued regarding the proposed D-Day Memorial being located in Bedford.

Councilman Brookshier stated that the Division of Motor Vehicles could possibly issue special license plates in connection with the D-Day Memorial.

Discussion ensued regarding a possible post card/letter campaign to the members of the National D-Day Memorial Foundation from the citizens of Bedford in support of locating the memorial in Bedford. There was

also discussion of enlisting the support of the localities representing the 116th Infantry.

Mayor Shelton adjourned the meeting at 10:00 p.m.